

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LUKNER BLANC,

Petitioner,

v.

T. TAYLOR,

Respondent.

Case No. 1:24-cv-01212-KES-CDB (HC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, GRANTING
RESPONDENT'S MOTION TO DISMISS
AND DISMISSING PETITION WITH
PREJUDICE

Doc. 24

Petitioner Lukner Blanc is a federal prisoner proceeding pro se and in forma pauperis with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302(c)(17).

On March 24, 2025, respondent filed a motion to dismiss the petition. Doc. 18. On May 27, 2025, petitioner filed an opposition. Doc. 21.¹ Respondent did not file a reply.

On June 20, 2025, the assigned magistrate judge issued findings and recommendations recommending that respondent's motion to dismiss be granted and the petition be dismissed with prejudice. Doc. 24. The findings and recommendations were served on the parties and contained notice that any objections were to be filed within 14 days of the date of service thereof. To date, no objections have been filed, and the time for doing so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1), the Court has conducted a de novo review of the case. Having carefully reviewed the matter, the Court concludes the findings and recommendations are supported by the record and proper analysis.

¹ The opposition is dated May 18, 2025. See Doc. 21.

1 As the petition is brought under § 2241 and the detention complained of does not arise out
2 of process issued by a state court, no certificate of appealability is required. *See Porter v. Adams*,
3 244 F.3d 1006, 1006-07 (9th Cir. 2001) (citing *Forde v. U.S. Parole Comm'n*, 114 F.3d 878, 879
4 (9th Cir. 1997)).

5 Accordingly,

- 6 1. The findings and recommendations issued on June 20, 2025, Doc. 24, are ADOPTED
7 in full.
- 8 2. Respondent's motion to dismiss, Doc. 18, is GRANTED.
- 9 3. The petition for writ of habeas corpus, Doc. 1, is DISMISSED WITH PREJUDICE.
- 10 4. The Clerk of Court is DIRECTED to close the case.

11
12
13 IT IS SO ORDERED.

14 Dated: July 22, 2025



UNITED STATES DISTRICT JUDGE